IN THE HIGH COURT OF BOMBAY AT GOA

FIRST APPEAL NO.111/2000 WITH
MISCELLANEOUS CIVIL APPLICATION NO. 292/2005

1. Smt. Taramati Pandu Gano,

2. Kashi Bhisso Gano.

3. Ramnath Bhisso Gano,

4. Bhicu Bhisso Gano,

5. Anandu Gano,

6. Nilu Gano, all residents of
Charrasta-Palolem, Canacona, Goa ..... Appellants/
Applicants.

V/s.

1. Special Land Acquisition Officer,
South Goa, K.R.C.L.,
Amey Guest House, Davorlim Road,
P.O. Navelim, Salcete, Goa.

2. The Chief Engineer,
K.R.C.L., 4th Floor, Souza Towers,
Church Square, Panaji-Goa ..... Respondents.

Mr. P.A. Kamat, Advocate for the appellants.

Mr. E. Afonso, Advocate for the respondent No.1.

CORAM : R.M. LODHA, J.

DATE : 23RD SEPTEMBER, 2005.

ORAL JUDGMENT

The learned Counsel for the parties are *ad idem* that in view of the Judgment delivered by me today in First Appeal No.23/2000 with Miscellaneous Civil Application No.291/2005 and in view of the various Judgments passed by this Court in First Appeals No. 62/2000, 3/2000, 8/2002, 258/2000, 175/2002, 123/1999, 22/2001, 122/1999, 148/2000, 149/2000, 154/2000, 143/2000, 11/2000, 28/2000, 142/2000, 152/2000, 12/2000, 91/2001, 94/2002, 20/2002, 117/2001, 30/2002 and 5/2000, for the selfsame reasons, the compensation for the acquired land may be fixed at Rs.19/- per sq. metre.

2. In view of the submission of the learned Counsel for the parties, I am satisfied that detailed discussion in the appeal is not necessary.

3. The appeal is partly allowed. The compensation for the compulsory acquisition of the appellants' land is fixed at Rs.19/- per sq. metre (rupees nineteen per sq. metre) as per their share as reflected in paragraph 2 of the Judgment and Award of the reference Court dated 25.8.1999. The appellants shall also be entitled to :

(i) a sum of 30 % on the aforesaid market value by way of solatium;

(ii) an amount at the rate of 12 % per annum on the above market value for the period commencing on and from the date of publication of the Notification under Section 4(1) of the Land Acquisition Act 1894 in respect of the subject-land to the date of the Award of the Collector or the date of taking possession of the land, whichever is earlier;

(iii) interest on the excess awarded by this Court at the rate of 9 % per annum from the date on which possession of the acquired land was taken till the date of payment of such excess amount for the period of one year;

(iv) interest at the rate of 15 % per annum from the date of expiry of the said period of one year on the amount of such excess award.

No costs. The First Appeal as well as the Miscellaneous Civil Application stand disposed of accordingly.

R.M. LODHA, J.

Ssm.